

SUMMARY

TESTIMONY OF CURTIS GANS, DIRECTOR

CENTER FOR THE STUDY OF THE AMERICAN ELECTORATE

U.S. SENATE RULES COMMITTEE

March 11, 2009

The central thrust of this testimony is that the current system of individually-generated registration is fatally flawed:

- That there are more than 50 million eligible citizens who are not registered and cannot vote.
- That there are as many as 20 million names on registration rolls who have died or moved or are in other ways invalid.
- That the United States' turnout rate is rated 139th among 172 democracies in the world.
- That we have a biennial circus of errors – claims of fraud, intimidation and suppression, voting lists which contain names that should not be on them, voting lists which omit names which should be on, citizens voting in two places, among other ills.
- And that the sum of these problems undermines citizen faith in the operation of elections and poses serious problems to the electoral health of American democracy.

The hope of this testimony is that, in this committee's and Congress' deliberation of remedy, serious consideration should be given to the system which has proven successful in Mexico – a system based on a mandatory, government-provided biometric identification card and system.

It is also predicated on the belief that such a system would be helpful in many other ways, including national security and homeland defense, immigration reform, identity theft, medical records, among several others.

TESTIMONY
by
CURTIS GANS
DIRECTOR
of
AMERICAN UNIVERSITY'S
CENTER FOR THE STUDY OF THE AMERICAN ELECTORATE
before
THE SENATE RULES COMMITTEE
MARCH 11, 2009
On
"Voter Registration: Assessing Current Problems"

My name is Curtis Gans. For the past 33 years I have directed, first a non-partisan independent committee and for the past three and a half years a center at American University both devoted to providing data, analysis, public education and, where bi-partisanly possible, public policy approaches to dealing with citizen political engagement and disengagement. The data I have published has been the staple for coverage and analysis of registration and voting for three decades. I have testified frequently before both houses of Congress. I gave research assistance to the Carter/Baker Commission on electoral reform. And in the late 1980s, I created a commission headed by the chairs of the two major parties which provided sufficient consensual agreement on registration confirmation issues to make possible the initial passage of the National Voter Registration Act in the House by a two-thirds majority vote.

I am honored and grateful that the chair and ranking minority member have invited me to testify at this hearing and hope that my testimony will be helpful as you move from deliberation to public policy. I want to make one thing clear at the outset. While I will be highly critical of aspects of our electoral system under consideration today, my comments are in no way to be considered a reflection on the many dedicated men and women who oversee, administer and, in other ways, carry out our elections, the overwhelming majority of whom want to do the very best to ensure both high levels of participation and honorable elections.

The goal of any democratic electoral system is to make possible the maximum voting participation of the citizenry while protecting the integrity of the political process – engendering public faith in both the system and its outcomes.

How far the United States is from those ideals can be seen in three sets of figures.

The first are the numbers 74 and 50. If one corrects for all the anomalies in official registration figures, an educated estimate of the percentage of eligible citizens who are registered is 74 percent. This, in turn, means that more than 50 million American citizens are not registered and cannot vote.

The second set of numbers are 115, 104.2, 103.6 and 100.3. These are the percentage of eligible citizens who are listed on the official registration rolls of the District of Columbia, Alaska, Illinois and South Dakota. Official registration numbers exceed 95 percent in ten other states (Colorado, Delaware, Indiana, Iowa, Maine, Michigan, Missouri, New York, North Carolina and Ohio). If anyone believes these “official” numbers are accurate, I have a bridge to sell you which crosses the East River in the chairman’s home state. There are as many as 20 million names on the registration lists of the several states and the District of Columbia that do not belong on these lists – because they have died or moved or, in a indeterminate number of cases, are not eligible citizens.

The third set of figures are 139 and 172 – the United States rank at the last accounting as 139th in the rate of participation among the 172 democracies in the world.

None of these sets of figures can inspire public confidence that our system of registration and voting is anywhere close to the best it can and should be.

Nor can we take comfort in what we have seen in recent elections, including but not limited to:

- Individuals working for non-partisan but Democratic-oriented registration groups who in an excess of partisan zeal place fraudulent names on the registration rolls.

- Individuals working for non-partisan but Republican-oriented registration organizations who in an excess of partisan zeal discard collected registrations if the registrants listed themselves as Democrats.

- Some residents of northern states with homes in Florida registering and voting in both places.

- Registration list purging conducted by non-governmental agencies focused largely only on certain segments of the population.

- Legitimate and long-time voters finding their names removed from registration lists by inaccurate purging.

- Michael Mouse and Richard Tracy appearing on registration lists along with a number of real individuals who are not legally qualified to vote.

- Arbitrary decision-making in very close elections, as in Florida in 2000 and presently in Minnesota, because of uncertainty as to who was entitled to cast ballots and whose ballots should be counted.

- Seven-figure election-day expenditures for monitors, poll watchers and lawyers all primed to swing into aggressive action at the slightest sign that anything might advantage one side or the other.

- Biennial claims of fraud by Republicans, intimidation and suppression by Democrats, all with their grains of truth, all eroding trust in the electoral system.

The Help America Vote Act (HAVA) has propelled modest improvements. Beyond beginning to establish standards for methods of voting, it did mandate the computerization of voting lists that may, at some future date when they are all in place and interoperable, make it more difficult for duplicate registrations and double voting. And it did provide for provisional ballots for those who feel unjustly left off registration lists, but there is no uniform standard for who gets these ballots, which ballots will be counted or who bears the responsibility for the effort and cost of verifying the claim of enfranchisement entitlement

But what we have been doing is patching up a fundamentally flawed system which cannot in its present form be perfected, which is wasting enormous amounts of money and well-meaning human effort and which will not majorly boost enrollment and turnout nor majorly diminish the inaccuracy of the voting lists.

There is a better way which is currently in practice within our neighbor to the south which has transformed what had been one of the most corrupt electoral systems anywhere into one that is respected and trusted by its citizenry..

If we, like they, had a government-provided mandatory biometric identification card and system, every citizen aged 18 and over would be enfranchised and none of the putative fraud (and intimidation and suppression) associated with the current registration system could occur. Voting would be, in this nation as in most other nations, a one-step act. Citizens would no longer need to qualify themselves through registration. All they need do is vote with confidence that their vote will be counted accurately.

This would also substantially reduce the cost of election administration and the complexity of registration list maintenance and verification. And it would likely but not certainly lead to at least a noticeable increase in turnout

The obstacles to such a system are cost and fears, I believe irrational fears, of undue invasion of privacy.

When I investigated these issues and this system for the Carter/Baker Commission, I ascertained that the up-front cost would be \$14 billion. In the best of all possible worlds, we would invest this amount for the betterment of the electoral system of the nation which prides itself on being the greatest democracy in the world.

In the real world, such a level of expenditure tends only to be justified on the grounds of national defense. On the other hand, I believe it can be justified on national defense grounds. For the sine qua non of national defense and homeland security is to know who is in this country and coming into this country.

If this system were adopted, it could have other beneficial applications. It could be a better way of dealing with the immigration issue – the sorting out of who should be given green cards, be on a citizenship track or sent home – then random arrests and a border fence. It could provide for a fully accurate Census without the cost of physical enumeration. It could substantially reduce or eliminate identity theft. It could help with both accurate criminal prosecution and exoneration of those wrongfully prosecuted or incarcerated. It could be used for medical records, social security, medicare, drivers' licenses, selective service registration and, perhaps, even for commerce. It could unify the many and varied identification programs in place, contemplated or mandated. It will not, however, serve as a cure for halitosis or the common cold.

With respect to privacy concerns, there are three answers. The first is that we have lost almost all of our privacy already, beginning when we allowed our social security numbers to be used for identification in realms other than social security and now much more broadly through the Internet. The second is that for most uses – other than national defense and law enforcement – there are technologies that put a person's information on the card rather than a database and readers can be programmed to take only the information needed for a given person (i.e. for voting: name, address, citizenship status and, where relevant, party registration). The only way to prevent privacy abuse with respect to national defense and law enforcement is what we already have inadequately in place – criminal penalties for abuse made more detailed and adequate.

The downside risks of such a system are small. The upside benefits great. And, with respect to the issues before this hearing, it would solve virtually all of them and remove all the remaining barriers to full citizen political participation.

Two final points:

I was asked by the minority staff to address the issue of the nexus between registration law and turnout. The broad answer is that this relationship has grown increasingly tenuous. At one time, it could accurately be said that one of the reasons for the lower turnout of the United

States as compared to almost all advanced democracies (Switzerland, which referends all its issues of consequence, excepted) was that we were the only nation other than France that made voting a two-step act. In all the other nations, government has been responsible for creating the list of eligible voters, all the citizen had to do was vote. Our citizens (other than those living in North Dakota) had to qualify through registration and, if addresses changed, through re-registration before one could vote. That was once a major barrier which has become profoundly less so now as we have made it progressively easier to both register and vote.

There are many indicators of the increasing lack of connection between registration and voting. We just held an election which produced the third highest turnout since women were given the vote in 1920. Yet, thirteen states recorded lower turnout, including five of the eight states which have election day registration. When election day registration was instituted in four states in 1976, turnout went up by between one and three percentage points in those states. By 1988, turnout was lower than in 1972 prior to the initiation of election day registration in the three states which continued to have election day registration (Oregon had repealed it). When the NVRA was enacted in 1995, registration went up in the two subsequent elections (1996 and 1998) but turnout went down. In the next two elections (2000 and 2002), registration went down but turnout increased. Prior to the voting surges (which I believe to be temporary) in 2004 and 2008, North Dakota which has no registration and thus no registration barriers had a greater turnout decline over the previous three decades than the average for the rest of the nation. In 2008, my home state of Virginia had a record high turnout. Under the same laws this year, a municipal election in the largest town in my home county saw a turnout of 1300 of 25,000 registered citizens. The 2008 presidential primaries produced the third highest turnout ever. The statewide primaries – for governor and U.S. Senate – which were not held on the same day as the presidential primaries produced the lowest turnout ever. It is incandescently clear that the primary determinant of turnout is no longer procedure but motivation. (It should also be noted that France, even with its system of personal registration, has a substantially higher turnout than we do.)

That said I would still prefer that government be responsible for registration, that voting be a one-step act and that the fail-safe way of accomplishing both would be a biometric ID.

My last point is about partisanship. It has been axiomatic among Democrats that because of the demographic profile of those who don't vote, greater turnout benefits them. It has been equally axiomatic among a majority of Republicans that the best electoral event that could happen to them is rain on election day – that the lower the turnout the better their chances. There may have been a time when these axioms were valid, but that time has long passed. Both axioms are demonstrably wrong. Three of the highest turnout presidential elections in the last 75 years occurred in 1952, 1968 and 2004 when the GOP won. Two of the lowest turnout elections during the same period were 1948 and 1996 when the Democrats won. There is a similar pattern for mid-term elections. In 1980, 1984 and 2004, there could have been 10 million additional voters and the winners of those elections – Ronald Reagan and George W. Bush – would have won by even larger margins.

Elections are now decided by political and societal conditions, perceptions of the candidates and their respective records and messages.

When, in 1988, the ad hoc commission that I created, headed by the chairs of the two major parties, reached agreement on a bi-partisanly acceptable method of cleaning the registration lists, that result was handed to the chair and ranking minority member of the House Election Subcommittee of the House Administration Committee, Reps. Al Swift and Bill Thomas. Within a matter of days, what had been seen as a partisan bill sponsored by Rep. Swift became the Foley-Gingrich bill, sponsored by the speaker of the House and its minority whip and it passed by a two-thirds vote. That bill was the framework for NVRA. It achieved its high-level bi-partisan sponsorship not simply because there was a resolution to the registration confirmation issue, but because Gingrich and Thomas believed and, I think, still believe that the Republican Party would not achieve a durable majority status without appealing to the whole of the electorate.

What I hope is that as this committee and its counterpart in the other house deliberate legislative changes to the current registration and voting system, they do so in the same spirit of bi-partisanship which existed in 1988 – one in which partisan interests are not sacrificed but cooperation for the common good is emphasized. We are, after all, talking about the electoral underpinnings of the most important democracy in the world.

*

*

*

(I have appended a few illustrative charts and one explanation of the difficulty one finds in dealing with “official” registration statistics.

Turnout Trend: The number and percentage of eligible citizens who voted for President in elections since 1920.

| YEAR | Citizens Eligible | Vote | Percent of Eligible Voted | Pct. Pt. Dif. | Adj Pct * Voted |
|------|-------------------|-------------|---------------------------|---------------|-----------------|
| 2008 | 208,323,000 | 131,257,542 | 63.0 | 2.4 | |
| 2004 | 201,780,000 | 122,265,430 | 60.6 | 6.4 | |
| 2000 | 194,327,000 | 105,399,313 | 54.2 | 2.8 | |
| 1996 | 187,437,000 | 96,277,872 | 51.4 | -6.9 | |
| 1992 | 179,048,000 | 104,428,377 | 58.3 | 5.0 | |
| 1988 | 171,855,000 | 91,594,805 | 53.3 | -2.6 | |
| 1984 | 165,727,000 | 92,659,600 | 55.9 | 1.2 | |
| 1980 | 158,111,000 | 86,515,221 | 54.7 | -0.3 | |
| 1976 | 148,419,000 | 81,555,889 | 55.0 | -2.1 | |
| 1972 | 136,228,000 | 77,718,554 | 57.1 | -3.9 | |
| 1968 | 119,955,000 | 73,211,875 | 61.0 | -1.0 | |
| 1964 | 113,979,000 | 70,645,592 | 62.0 | -2.8 | 64.9 |
| 1960 | 106,188,000 | 68,838,219 | 64.8 | 3.6 | 67.8 |
| 1956 | 101,295,000 | 62,026,908 | 61.2 | -2.5 | 63.9 |
| 1952 | 96,607,000 | 61,550,918 | 63.7 | 10.5 | 66.8 |
| 1948 | 91,689,000 | 48,793,826 | 53.2 | -2.2 | 56.2 |
| 1944 | 86,607,000 | 47,976,670 | 55.4 | -6.8 | 58.8 |
| 1940 | 80,248,000 | 49,900,418 | 62.2 | 1.3 | 66.1 |
| 1936 | 75,013,000 | 45,654,763 | 60.9 | 3.5 | 63.5 |
| 1932 | 69,295,000 | 39,758,759 | 57.4 | 0.5 | 61.4 |
| 1928 | 64,715,000 | 36,805,951 | 56.9 | 8.6 | 61.2 |
| 1924 | 60,334,466 | 29,095,023 | 48.2 | 0.1 | 51.9 |
| 1920 | 55,441,000 | 26,762,613 | 48.3 | | 52.2 |

* Prior to 1964, African-Americans in the south were considered eligible voters but were almost universally unable to vote until the Voting Rights Act became law in 1965 because of Jim Crow laws. The percentages in this column are based on subtracting the Census Bureau's estimate of southern African-Americans from the overall citizen-eligible population for the nation and interpolating between Censuses and dividing the vote for President by these interpolated figures. This probably provides a more accurate turnout percentage of those who could actually vote but for the purposes of consistency, all percentage in the text are based on citizen-eligible vote as explained in the notes below without this adjustment.

3. Convenience Voting and Turnout

| State | 2008 VAP | 2008 Turnout | 2008 % VAP Voted | 2004 VAP | 2004 Turnout | 2004 % VAP Voted | 2008 - 2004 | | Early Voting | No Excuse Absentee | EDR |
|-------|-------------|-----------------|------------------------|-------------|-----------------|------------------------|-------------|-------|-----------------|-----------------------|-----|
| DC | 371,000 | 265,853 | 71.66 | 388,000 | 227,586 | 58.66 | 13.00 | 22.17 | | | |
| NC | 6,423,000 | 4,310,789 | 67.11 | 6,161,000 | 3,501,007 | 56.83 | 10.29 | 18.11 | X | X | |
| SC | 3,224,000 | 1,920,969 | 59.58 | 3,102,000 | 1,617,730 | 52.15 | 7.43 | 14.25 | | | |
| GA | 6,302,000 | 3,924,440 | 62.27 | 6,028,000 | 3,298,790 | 54.72 | 7.55 | 13.79 | | X | |
| VA | 5,560,000 | 3,723,260 | 66.97 | 5,339,000 | 3,198,360 | 59.91 | 7.06 | 11.78 | | | |
| MS | 2,151,000 | 1,289,865 | 59.97 | 2,107,000 | 1,139,826 | 54.10 | 5.87 | 10.85 | | | |
| AL | 3,394,000 | 2,099,819 | 61.87 | 3,343,000 | 1,883,415 | 56.34 | 5.53 | 9.81 | | | |
| IN | 4,586,000 | 2,751,054 | 59.99 | 4,509,000 | 2,468,002 | 54.74 | 5.25 | 9.60 | | | |
| CO | 3,219,000 | 2,401,349 | 74.60 | 3,118,000 | 2,129,630 | 68.30 | 6.30 | 9.22 | X | X | |
| NV | 1,642,000 | 967,848 | 58.94 | 1,500,000 | 829,587 | 55.31 | 3.64 | 6.58 | X | X | |
| MD | 4,064,000 | 2,630,947 | 64.74 | 3,906,000 | 2,384,214 | 61.04 | 3.70 | 6.06 | | X | |
| NM | 1,346,000 | 830,158 | 61.68 | 1,296,000 | 756,204 | 58.35 | 3.33 | 5.70 | X | X | |
| DE | 630,000 | 412,398 | 65.46 | 603,000 | 375,190 | 62.22 | 3.24 | 5.21 | | | |
| AZ | 4,117,000 | 2,293,475 | 55.71 | 3,800,000 | 2,012,585 | 52.96 | 2.74 | 5.18 | X | X | |
| NJ | 5,904,000 | 3,868,237 | 65.52 | 5,787,000 | 3,611,691 | 62.41 | 3.11 | 4.98 | | X | |
| RI | 790,000 | 469,767 | 59.46 | 771,000 | 437,134 | 56.70 | 2.77 | 4.88 | | | |
| MT | 731,000 | 490,109 | 67.05 | 703,000 | 450,434 | 64.07 | 2.97 | 4.64 | | X | |
| MO | 4,328,000 | 2,925,205 | 67.59 | 4,227,000 | 2,731,364 | 64.62 | 2.97 | 4.60 | | | |
| MA | 4,625,000 | 3,080,985 | 66.62 | 4,556,000 | 2,905,360 | 63.77 | 2.85 | 4.46 | | X | |
| CA | 22,319,000 | 13,561,900 | 60.76 | 21,306,000 | 12,419,857 | 58.29 | 2.47 | 4.24 | | X | |
| TX | 14,886,000 | 8,077,795 | 54.26 | 14,189,000 | 7,410,749 | 52.23 | 2.04 | 3.90 | X | | |
| IL | 8,540,000 | 5,523,051 | 64.67 | 8,466,000 | 5,275,415 | 62.31 | 2.36 | 3.79 | | | |
| TN | 4,512,000 | 2,599,749 | 57.62 | 4,378,000 | 2,437,319 | 55.67 | 1.95 | 3.50 | X | | |
| FL | 12,923,000 | 8,390,744 | 64.93 | 12,124,000 | 7,609,810 | 62.77 | 2.16 | 3.44 | X | X | |
| ID | 1,024,000 | 655,032 | 63.97 | 967,000 | 598,376 | 61.88 | 2.09 | 3.37 | | X | X |
| PA | 9,450,000 | 5,995,107 | 63.44 | 9,318,000 | 5,765,764 | 61.88 | 1.56 | 2.53 | | | |
| KS | 1,968,000 | 1,235,872 | 62.80 | 1,939,000 | 1,187,756 | 61.26 | 1.54 | 2.52 | | X | |
| CT | 2,518,000 | 1,649,399 | 65.50 | 2,466,000 | 1,578,769 | 64.02 | 1.48 | 2.32 | | | |
| NE | 1,243,000 | 801,281 | 64.46 | 1,233,000 | 778,186 | 63.11 | 1.35 | 2.14 | | X | |
| WA | 4,489,000 | 3,036,878 | 67.65 | 4,313,000 | 2,859,084 | 66.29 | 1.36 | 2.05 | | X | |
| NY | 12,653,000 | 7,594,813 | 60.02 | 12,563,000 | 7,391,036 | 58.83 | 1.19 | 2.03 | | | |
| HI | 918,000 | 453,158 | 49.36 | 885,000 | 429,013 | 48.48 | 0.89 | 1.83 | | X | |
| WY | 388,000 | 254,658 | 65.63 | 376,000 | 243,428 | 64.74 | 0.89 | 1.38 | | X | X |
| MI | 7,490,000 | 5,001,766 | 66.78 | 7,323,000 | 4,839,252 | 66.08 | 0.70 | 1.05 | | | |
| IA | 2,201,000 | 1,537,123 | 69.84 | 2,175,000 | 1,506,908 | 69.28 | 0.55 | 0.80 | X | X | X |
| AR | 2,065,000 | 1,086,617 | 52.62 | 2,015,000 | 1,054,945 | 52.35 | 0.27 | 0.51 | | | |
| ND | 485,000 | 316,621 | 65.28 | 481,000 | 312,833 | 65.04 | 0.24 | 0.38 | X | X | |
| VT | 495,000 | 325,046 | 65.67 | 477,000 | 312,309 | 65.47 | 0.19 | 0.29 | | X | |
| OH | 8,562,000 | 5,698,260 | 66.55 | 8,458,000 | 5,627,903 | 66.54 | 0.01 | 0.02 | | X | |
| NH | 1,016,000 | 710,970 | 69.98 | 968,000 | 677,662 | 70.01 | -0.03 | -0.04 | | | X |
| KY | 3,147,000 | 1,826,508 | 58.04 | 3,085,000 | 1,795,860 | 58.21 | -0.17 | -0.30 | | | |
| AK | 476,000 | 326,197 | 68.53 | 453,000 | 312,598 | 69.01 | -0.48 | -0.69 | X | X | X |
| MN | 3,824,000 | 2,910,369 | 76.11 | 3,685,000 | 2,828,370 | 76.75 | -0.65 | -0.84 | | | X |
| LA | 3,338,000 | 1,960,761 | 58.74 | 3,278,000 | 1,943,106 | 59.28 | -0.54 | -0.91 | | | |
| OK | 2,561,000 | 1,462,661 | 57.11 | 2,528,000 | 1,463,758 | 57.90 | -0.79 | -1.36 | | X | |
| UT | 1,578,000 | 952,370 | 60.35 | 1,511,000 | 927,844 | 61.41 | -1.05 | -1.71 | | X | |
| WI | 4,183,000 | 2,983,417 | 71.32 | 4,061,000 | 2,998,007 | 73.82 | -2.50 | -3.39 | | X | X |
| SD | 573,000 | 381,975 | 66.66 | 562,000 | 388,215 | 69.08 | -2.42 | -3.50 | | X | |
| OR | 2,615,000 | 1,827,864 | 69.90 | 2,528,000 | 1,836,782 | 72.66 | -2.76 | -3.80 | X | | |
| ME | 1,048,000 | 731,163 | 69.77 | 1,010,000 | 740,748 | 73.34 | -3.57 | -4.87 | | X | X |
| WV | 1,428,000 | 713,362 | 49.96 | 1,415,000 | 755,659 | 53.40 | -3.45 | -6.46 | X | | |

Overall Registration: The chart below represents CSAE's best estimate of the number and percentage of eligible citizens who were registered this year and in past years. (See note 3.)

| Year | Estimated Number and Percent Registered | |
|-------------|--|------|
| 2008 | 154,576,000 | 74.2 |
| 2004 | 143,000,000 | 71.0 |
| 2000 | 133,780,000 | 68.0 |
| 1996 | 132,000,000 | 70.0 |
| 1992 | 123,649,000 | 68.4 |
| 1988 | 116,820,000 | 67.0 |
| 1984 | 114,750,000 | 68.8 |
| 1980 | 103,500,000 | 65.9 |
| 1976 | 95,850,000 | 66.0 |
| 1972 | 92,700,000 | 68.7 |
| 1968 | 81,000,000 | 70.3 |
| 1964 | 78,300,000 | 72.1 |
| 1960 | 74,250,000 | 70.9 |

Total Registration as a Percentage of VAP - Citizen 2008 vs 2004 - 2000

Registration Races

| State | 2008 VAP | 2008 Turnc | 2008 % VAI | 2004 VAP | 2004 Turnc | 2004 % VAI | +/-08-04 Pct | 2000 VAP | 2000 Turnc | 2000 % VAI | +/-08-00 Pct |
|----------|----------|------------|------------|----------|------------|------------|--------------|----------|------------|------------|--------------|
| AL | 3394000 | 3010638 | 88.7 | 3343000 | 2843111 | 85.05 | 3.65 | 3284000 | 2889772 | 88 | 0.7 |
| AK | 476000 | 495731 | 104.15 | 453000 | 469042 | 103.54 | 0.61 | 425000 | 581347 | 136.79 | -32.64 |
| AZ | 4117000 | 3441141 | 83.58 | 3800000 | 2896748 | 76.23 | 7.35 | 3437000 | 2654700 | 77.24 | 6.34 |
| AR | 2065000 | 1684290 | 81.56 | 2015000 | 1685527 | 83.65 | -2.09 | 1959000 | 1555809 | 79.42 | 2.14 |
| CA | 22319000 | 17304091 | 77.53 | 21306000 | 16557273 | 77.71 | -0.18 | 20154000 | 15707307 | 77.94 | -0.41 |
| CO | 3219000 | 3203583 | 99.52 | 3118000 | 3065227 | 98.31 | 1.21 | 3007000 | 2858239 | 95.05 | 4.47 |
| CT | 2518000 | 2097635 | 83.31 | 2466000 | 2102941 | 85.28 | -1.97 | 2408000 | 2031626 | 84.37 | -1.06 |
| DE | 630000 | 602726 | 95.67 | 603000 | 553917 | 91.86 | 3.81 | 571000 | 503672 | 88.21 | 7.46 |
| DC | 371000 | 426761 | 115.03 | 388000 | 383919 | 98.95 | 16.08 | 408000 | 431816 | 105.84 | 9.19 |
| FL | 12923000 | 11247634 | 87.04 | 12124000 | 10301290 | 84.97 | 2.07 | 11205000 | 8752717 | 78.11 | 8.93 |
| GA | 6302000 | 5755750 | 91.33 | 6028000 | 4248802 | 70.48 | 20.85 | 5718000 | 4648205 | 81.29 | 10.04 |
| HI | 918000 | 691356 | 75.31 | 885000 | 647238 | 73.13 | 2.18 | 847000 | 637349 | 75.25 | 0.06 |
| ID | 1024000 | 861869 | 84.17 | 967000 | 684936 | 70.83 | 13.34 | 900000 | 728085 | 80.9 | 3.27 |
| IL | 8540000 | 8849117 | 103.62 | 8466000 | 7499488 | 88.58 | 15.04 | 8393000 | 8940544 | 106.52 | -2.9 |
| IN | 4586000 | 4514804 | 98.45 | 4509000 | 4286858 | 95.07 | 3.38 | 4421000 | 4000809 | 90.5 | 7.95 |
| IA | 2201000 | 2169682 | 98.58 | 2175000 | 2106658 | 96.86 | 1.72 | 2147000 | 1969199 | 91.72 | 6.86 |
| KS | 1968000 | 1749756 | 88.91 | 1939000 | 1687896 | 87.05 | 1.86 | 1906000 | 1623623 | 85.18 | 3.73 |
| KY | 3147000 | 2906809 | 92.37 | 3085000 | 2794286 | 90.58 | 1.79 | 3013000 | 2722557 | 90.36 | 2.01 |
| LA | 3338000 | 2945619 | 88.25 | 3278000 | 2889981 | 88.16 | 0.09 | 3207000 | 2782929 | 86.78 | 1.47 |
| ME | 1048000 | 1027585 | 98.05 | 1010000 | 1023956 | 101.38 | -3.33 | 965000 | 1064368 | 110.3 | -12.25 |
| MD | 4064000 | 3430364 | 84.41 | 3906000 | 3105370 | 79.5 | 4.91 | 3723000 | 2980950 | 80.07 | 4.34 |
| MA | 4625000 | 4220488 | 91.25 | 4556000 | 4098634 | 89.96 | 1.29 | 4479000 | 4000218 | 89.31 | 1.94 |
| MI | 7490000 | 7470764 | 99.74 | 7323000 | 7164047 | 97.83 | 1.91 | 7131000 | 6861342 | 96.22 | 3.52 |
| MN | 3824000 | 3203835 | 83.78 | 3685000 | 2975125 | 80.74 | 3.04 | 3525000 | 2801077 | 79.46 | 4.32 |
| MO | 4328000 | 4205774 | 97.18 | 4227000 | 4206423 | 99.51 | -2.33 | 4110000 | 3676664 | 89.46 | 7.72 |
| MT | 731000 | 672961 | 92.06 | 703000 | 638474 | 90.82 | 1.24 | 671000 | 698260 | 104.06 | -12 |
| NE | 1243000 | 1157034 | 93.08 | 1233000 | 1160199 | 94.1 | -1.02 | 1221000 | 1085272 | 88.88 | 4.2 |
| NV | 1642000 | 1446027 | 88.06 | 1500000 | 1071101 | 71.41 | 16.65 | 1339000 | 878970 | 65.64 | 22.42 |
| NH | 1016000 | 954913 | 93.99 | 968000 | 855861 | 88.42 | 5.57 | 910000 | 856519 | 94.12 | -0.13 |
| NJ | 5904000 | 5378792 | 91.1 | 5787000 | 5005969 | 86.5 | 4.6 | 5659000 | 4710768 | 83.24 | 7.86 |
| NM | 1346000 | 1192969 | 88.63 | 1296000 | 1051536 | 81.14 | 7.49 | 1238000 | 928931 | 75.03 | 13.6 |
| NY | 12653000 | 12031312 | 95.09 | 12563000 | 11837068 | 94.22 | 0.87 | 12474000 | 11262816 | 90.29 | 4.8 |
| NC | 6423000 | 6287992 | 97.9 | 6161000 | 5502937 | 89.32 | 8.58 | 5862000 | 5186094 | 88.47 | 9.43 |
| OH | 8562000 | 8302900 | 96.97 | 8458000 | 7979630 | 94.34 | 2.63 | 8337000 | 7537822 | 90.41 | 6.56 |
| OK | 2561000 | 2184084 | 85.28 | 2528000 | 2143978 | 84.81 | 0.47 | 2491000 | 2233602 | 89.67 | -4.39 |
| OR | 2615000 | 2166866 | 82.86 | 2528000 | 2141243 | 84.7 | -1.84 | 2428000 | 2136719 | 88 | -5.14 |
| PA | 9450000 | 8758031 | 92.68 | 9318000 | 8315974 | 89.25 | 3.43 | 9166000 | 7781997 | 84.9 | 7.78 |
| RI | 790000 | 680651 | 86.16 | 771000 | 687488 | 89.17 | -3.01 | 749000 | 661295 | 88.29 | -2.13 |
| SC | 3224000 | 2553923 | 79.22 | 3102000 | 2256745 | 72.75 | 6.47 | 2960000 | 2349863 | 79.39 | -0.17 |
| SD | 573000 | 574632 | 100.28 | 562000 | 552441 | 98.3 | 1.98 | 547000 | 520881 | 95.23 | 5.05 |
| TN | 4512000 | 3977586 | 88.16 | 4378000 | 3730058 | 85.2 | 2.96 | 4224000 | 3400487 | 80.5 | 7.66 |
| TX | 14886000 | 13575062 | 91.19 | 14189000 | 13098329 | 92.31 | -1.12 | 13404000 | 12365235 | 92.25 | -1.06 |
| UT | 1578000 | 1432525 | 90.78 | 1511000 | 1278251 | 84.6 | 6.18 | 1435000 | 1303603 | 90.84 | -0.06 |
| VT | 495000 | 454466 | 91.81 | 477000 | 444077 | 93.1 | -1.29 | 456000 | 427354 | 93.72 | -1.91 |
| VA | 5560000 | 5034660 | 90.55 | 5339000 | 4517980 | 84.62 | 5.93 | 5086000 | 4071471 | 80.05 | 10.5 |
| WA | 4489000 | 3629898 | 80.86 | 4313000 | 3514078 | 81.48 | -0.62 | 4114000 | 3335714 | 81.08 | -0.22 |
| WV | 1428000 | 1212117 | 84.88 | 1415000 | 1168694 | 82.59 | 2.29 | 1400000 | 1067822 | 76.27 | 8.61 |
| WY | 388000 | 244818 | 63.1 | 376000 | 232396 | 61.81 | 1.29 | 362000 | 220012 | 60.78 | 2.32 |
| Overall: | 2.02E+08 | 1.81E+08 | 90.03 | 1.95E+08 | 1.69E+08 | 86.85 | 3.19 | 1.88E+08 | 1.62E+08 | 86.45 | 3.58 |

Adjusted Registration:

ADJUSTED REGISTRATION
 (Gross Registration Minus Inactive Lists Comparison 2008 -- 2004)

| State | 2008 Nov Citizen VAP | 2008 Gross Reg. | 2008 Gross Reg. % VAP | 2004 Gross Reg. % VAP | % Pt Diff Gross Reg. 2008-2004 | 2008 Inactive Registration | 2008 Adjusted Registration | 2008 Adjusted % VAP | 2004 Adjusted % VAP | % Pt Diff Adj Registration 2008-2004 |
|-------|----------------------------|--------------------|-----------------------------|-----------------------------|--------------------------------------|----------------------------------|----------------------------------|---------------------------|---------------------------|--|
| AL | 3,394,000 | 3,010,638 | 88.70% | 85.38% | 3.33 | 169,443 | 2,841,195 | 83.71% | 78.30% | 5.42 |
| AZ | 4,117,000 | 3,441,141 | 83.58% | 76.21% | 7.37 | 453,690 | 2,987,451 | 72.56% | 69.53% | 3.03 |
| AR | 2,065,000 | 1,684,240 | 81.56% | 84.36% | -2.8 | 319,499 | 1,364,741 | 66.09% | 74.23% | -8.14 |
| CO | 3,219,000 | 3,203,583 | 99.52% | 99.49% | 0.04 | 621,394 | 2,582,189 | 80.22% | 77.14% | 3.07 |
| GA | 6,302,000 | 5,755,750 | 91.33% | 85.14% | 6.2 | 570,838 | 5,184,912 | 82.27% | 73.47% | 8.8 |
| IL | 8,540,000 | 8,825,639 | 103.34% | 103.76% | -0.42 | 1,125,384 | 7,700,255 | 90.17% | 85.00% | 5.17 |
| NY | 12,653,000 | 12,031,312 | 95.09% | 94.22% | 0.86 | 1,214,812 | 10,816,500 | 85.49% | 84.66% | 0.83 |
| SD | 573,000 | 574,632 | 100.28% | 98.30% | 1.99 | 45,170 | 527,830 | 92.12% | 89.37% | 2.75 |
| TN | 4,512,000 | 3,977,586 | 88.16% | 85.62% | 2.54 | 395,845 | 3,581,741 | 79.38% | 76.57% | 2.81 |
| TX | 14,886,000 | 13,575,062 | 91.19% | 92.31% | -1.12 | 1,898,044 | 11,677,018 | 78.44% | 77.53% | 0.91 |
| UT* | 1,578,000 | 1,584,669 | 100.42% | 100.78% | -0.36 | 266,575 | 1,318,094 | 83.53% | 84.64% | -1.11 |
| VA | 5,560,000 | 5,034,660 | 90.55% | 84.58% | 5.97 | 121,689 | 4,912,971 | 88.36% | 78.28% | 10.08 |
| WA | 4,489,000 | 3,629,898 | 80.86% | 78.15% | 2.71 | 401,651 | 3,228,247 | 71.91% | 67.72% | 4.19 |
| Total | 58,445,000 | 54,653,614 | 93.51% | 92.48% | 1.03 | 6,911,251 | 47,740,731 | 81.68% | 79.35% | 2.33 |

Registration: The registration figures for the individual states in the back of this report are final, official, certified by the chief election officer of each state and totally unreliable. At least four states have reported registration levels in excess of their eligible population. Several more are close. (Note there are no figures for North Dakota which has no registration and Mississippi and Wisconsin whose statewide figures always come late and the figures for Iowa and Maine, both election day registration states, are almost final and unofficial).

In any given election the official registration figures provided by the states are inaccurate because they contain the names of people who have either died or moved but have not been removed from the registration rolls. The degree of inaccuracy in any given state would pend both on when they conducted a list cleaning and how thorough such a list cleaning was. A state which conducted a thorough list cleaning close to an election would likely have fewer names that were not eligible. Prior to the enactment of the National Voter Registration Act (the so-called motor-voter law), it was at least possible to make a national estimate of registration which would be, on the average, ten percent lower than the official figures provided by the states.

But the NVRA mandated that states must keep even those who have moved or died on their registration rolls for at least two federal elections, even if the people whose names have remained on the rolls have been determined to have moved or died. And, this, in turn, accounts for the substantially higher official figures than prior to the NVRA's implementation.

While states cannot remove names, they can transfer those for whom they have evidence have died or moved to an inactive list, which they are required by the NVRA to report each biennium by March of the year following a national election. A truer picture can be gleaned from the chart above which compares registration rates based on official figures and rates based on official figures minus those kept on inactive lists. The charts on registration and partisan registration in the summary charts below represent the Committee's best estimate of what actual registration is likely to be, based on the states which have provided final and official registration figures at the time of this report. (Three additional considerations when looking at these statistics: 1. Only 28 states and the District of Columbia have partisan registration and the partisan registration percentages estimated below are based on the raw registration figures. There are no similar corrective inactive lists for partisan registrants and it is likely that were there, the estimates for partisan registration percentages below would be smaller in each category. 2. The percentages of Democratic, Republican and Other registrations do not add up to 100 percent. The balance is unregistered. 3. The partisan percentages are taken from raw official data and thus do not yield the same totals as do the overall percentages).

BIOGRAPHICAL SKETCH

CURTIS B. GANS

Curtis Gans is presently the Director of the newly created Center for the Study of the American Electorate within the Center for Democracy and Election Management at American University and is a Research Scholar in residence at that institution. He was the co-founder and has been the director for nearly 32 years of the non-partisan Committee for the Study of the American Electorate whose work is being carried forward and expanded by the new American University Center. As director of the Committee, Gans is an acknowledged ranking expert on voter turnout and participation. On matters of voting, he has become the primary source of information for most newspapers, wire services, news magazines and columnists. His writings have appeared in a number of major publications and he has appeared on various talk shows, including TODAY, Good Morning America, All Things Considered, PBS' Newshour, Morning Edition, CBS Morning and CBS, ABC, and NBC Evening news, Fox News, CNN, BBC, CBC, among others. He has spoken in various capacities on more than 200 college campuses and before political and trade associations. He has testified before Congress on several issues on numerous occasions. Until 15 years ago, he wrote a self-syndicated column which appeared in more than 20 newspapers in major urban centers.

In a career that straddles both politics and journalism, Gans is also well known for leading the effort against the re-election of President Lyndon Johnson in 1967 and serving as staff director of the Presidential campaign of Senator Eugene J. McCarthy the following year. He is former member of the Democratic National Policy Council and its Foreign Policy Subcommittee. He has served as a consultant to the Woodrow Wilson Center for International Scholars, the National Committee for an Effective Congress, and has managed a number of political campaigns.

He has also been a newsman for the Miami News, and United Press International and has written numerous articles and reviews for such publications as The Atlantic, Public Opinion, The Washington Monthly, The Nation, The New Republic, Social Policy, The New York Times Book Review, Book World, and the opinion pages and sections of many newspapers. He has also contributed to many books and anthologies.

A 1959 graduate of the University of North Carolina with an A.B. degree in English. Gans is an honorably discharged member of the United States Marine Corps Reserve.

He is an avid baseball fan and is noted for planning his vacations and business travels to coincide with the flights of the St. Louis Cardinals.